



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 31, 2021

By ECF

The Honorable Kenneth M. Karas
United States District Judge
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: *Martinez Trujillo et al. v. United States*, No. 20 Civ. 7821 (KMK)

Dear Judge Karas:

I write on behalf of the both parties to respectfully request an extension of discovery deadlines in the above-captioned medical malpractice action stemming from alleged injuries incurred during Plaintiff Amada Victoria Martinez-Trujillo's labor on delivery on April 2, 2018. Currently, fact discovery is set to conclude September 20, 2021; expert discovery concludes and dispositive pre-motion letters are due November 1, 2021, with response letters due November 8, 2021; and the final pretrial conference is scheduled for November 16, 2021.

The parties have conducted depositions for the relevant medical personnel and are working to schedule Plaintiffs' depositions. Due to continued issues obtaining discovery relating to Plaintiff's prior labor and delivery at a hospital in Mexico, the need to conduct additional depositions and Plaintiff Martinez-Trujillo's medical examinations, and Government counsel's upcoming parental leave, the parties respectfully requests that fact discovery deadlines be extended by 60 days, and that expert discovery deadlines be extended by an additional 30 days to account for the holidays, such that fact discovery would conclude November 19, 2021;¹ expert discovery would conclude and dispositive pre-motion letters would be due January 28, 2022, with response letters due February 4, 2022; and the final pretrial conference would be scheduled for February 2022 at the Court's convenience.

This is the parties' second request for an extension of discovery. The prior request was granted.

¹ Under this schedule, Plaintiffs would serve their expert reports at the conclusion of fact discovery, with the Government's reports due three weeks later on December 10, 2021.

I thank the Court for its consideration of this request.

Respectfully,

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